

#### DETAILED ACTION

***Response to Amendment - Amendment is Non-Compliant (37 CFR 1.52)***

Applicant's amendment filed 10/17/2008 fails to comply 37 CFR 1.52 (a)(1)(iv-v) which states that all papers that are submitted must be

(iv) Plainly and legibly written either by a typewriter or machine printer in permanent dark ink or its equivalent; and

(v) Presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic capture by use of digital imaging and optical character recognition.

Accordingly, the instant response appears to have a white line through the body the claims and the arguments/remarks (due apparently to a defective fax transmission), preventing them from having sufficient clarity and contrast, such that portions of the entire response are not legible and cannot be understood. Therefore, the claims and arguments/remarks are not plainly and legibly written. Appropriate correction is required.

The reply filed on 10/17/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): as noted above. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Anthony Giardino whose telephone number is (571) 270-3565 and can normally be reached on Monday - Thursday 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Sanjiv Shah can be reached on (571) 272 - 4098. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.A. Giardino

/Stephen Elmore/  
Primary Examiner, Art Unit 2185

/M.G./

Patent Examiner  
Art Unit 2185

January 1, 2009